



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
SEPTEMBER 24, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Father John Stowe, Our Lady of Mt. Carmel, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

1. Certificate of Achievement to Pedro Villagrana

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No action was taken regarding the report from Ms. Carol Brey, Director of Libraries.

Ms. Brey provided information regarding "SOL" (Services On Line) and demonstrated the use of the internet site and its many capabilities/functions. She commented on the seven strategic goals of the library and emphasized the "Read As One/Leamos Juntos" program that encourages the whole community to read the same book and become a part of a discussion group following the book's reading. She discussed the role of the library for the future such as expanding branch libraries hours, programs with the El Paso Community College, and Capital Improvement Plans to enhance the libraries' services. She noted that the El Paso Public Library had received approximately \$1.5 million in grant funds from private and public sources during this past year. She remarked that the El Paso Public Library Association, the library's Board, was dedicated to raising awareness of library services, advocating for the library and to raise monies to enhance library projects. She requested that the City's lobbyists and/or Council Members speak with State Legislators regarding the "TexShare" resource that is funded by the State of Texas through the Telecommunications Infrastructure Fund. She noted that the funding would sunset in the year 2005, which caused her much concern, as thousands of individuals have accessed these valuable resources.

Representative Sariñana questioned whether or not it would be possible to purchase furniture for the libraries with Certificates of Obligation and requested city staff investigate methods in which to pay for the furniture.

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Motion made by Representative Medina, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.

(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JOHN J. CLANCY**, to conduct an Economic Development Director Recruitment and Assessment Center for the Human Resources Department. The contract period shall be from September 25, 2002 through August 31, 2003. The total amount of the contract shall not exceed \$34,000.00.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, explained that the Economic Development Department was currently under his authority and that the department was in desperate need of a Director. He remarked that Mr. Clancy had a number of contacts and recommended Council Members approve the Resolution.

Representative Cobos stated that the City had utilized Mr. Clancy's services for the positions of Human Resources Director and Chief Administrative Officer; however, it was ultimately determined that the individuals most qualified for those positions had been City employees. He suggested that the City explore the local talent base rather than bring in an individual from the outside. He stated he would not support the Resolution due to the amount of the contract and reiterated the need to hire local individual(s).

Representative Cook expressed that the City does have very talented individuals; however, El Paso deserved the best and if necessary, hire an individual from outside the City.

Representative Medina agreed that many talented individuals reside here; however, he felt the monies would be better spent creating a position or placing advertisements in major newspapers such as the Wall Street Journal.

Mr. Charlie McNabb, Chief Administrative Officer, explained that the Director of Economic Development position had been vacant since February and the City has advertised for the position. He explained that in order to avoid improprieties it would be necessary to have Mr. Clancy conduct the assessment center. He remarked that the contract could be split so that Mr. Clancy would conduct either the recruitment or assessment center.

Representative Sumrall questioned what other positions Mr. Clancy had conducted recruitment and assessment centers for.

Mr. McNabb stated the City has utilized Mr. Clancy and Mr. Norm Roberts for recruitment and assessment centers and added that Mr. Roberts was currently employed with Maximus, a municipal consulting firm. He added that Mr. Clancy was nationally known within the municipal field.

Representative Sumrall stated that it would behoove individuals interested in applying for this position and others to visit El Paso so as to familiarize themselves with the community.

Mr. McNabb commented that for the position of Human Resources Director, Ms. Terry Bond was the highest scoring individual on the assessment center, as per the national search. He noted that Council Members had requested he serve, as the Chief Administrative Officer on an interim basis while the search for that position was ongoing. He expressed his gratitude to Council Members for giving him the opportunity to serve the City in this capacity.

Representative Sumrall suggested that language be added to the Resolution “that the charges be split between the assessment center and recruitment”.

Representative Medina stated that the selection of Mr. Abeln was an excellent choice and added that Mr. Abeln was from outside the City. He listed the 12 Department Heads who had been promoted from within the City's employ.

Representative Cobos stated that there was no guarantee that the recruitment effort would secure this position for years to come and added that local talent existed if only the City would look harder and longer.

Representative Sariñana remarked that during the initial recruitment information regarding the position had not been distributed throughout the community.

Mayor Raymond C. Caballero agreed that the City was filled with talented individuals; however, it would be advantageous to conduct a national search.

Representative Cook suggested that an Interim Director for the Economic Development Department *not* be appointed.

Mayor Caballero recommended that following Council Members approval of the Resolution, a two-week period be allowed to conduct a local search.

Motion made by Representative Cook, seconded by Representative Escobar and carried to approve the above Resolution as amended.

Representatives Medina and Cobos voted Nay.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a Third Amendment to Partnership Agreement between the Upper Rio Grande Workforce Development Board and Top Chief Elected Officials of the Upper Rio Grande Workforce Development Area to further extend the term of the Agreement.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
12412 Cougar Street	\$242.48	\$41.96	\$284.44

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***R E S O L U T I O N**

WHEREAS, the City Council has authorized the City Attorney or her designee to negotiate with the owners of the Property municipally known and numbered as 607-617 West Franklin Avenue, El Paso County, Texas and,

WHEREAS, the City Councils finds that it is in the interest of the citizens and serves a public purpose to purchase the property.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Appraisal Services by and between the CITY OF EL PASO and ACCURA COMMERCIAL APPRAISALS OF EL PASO for an appraisal to establish value for the Property municipally known and numbered as 607-617 West Franklin Drive, El Paso, El Paso County, Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement by and between the City of El Paso and the Treasury Law Enforcement Agencies (U.S. Customs) for a special joint law enforcement task force from October 1, 2002 through September 30, 2003. U.S. Customs will reimburse the City for certain overtime personnel costs incurred during the operation.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a supplemental grant application from the City of El Paso Police Department for an Automobile Theft Prevention Grant in the amount of \$20,089.00 from the Automobile Theft Prevention Authority - State of Texas, for the purpose of purchasing additional technology and related supplies to assist in the efforts of the Department in reducing auto theft in El Paso County. No matching funds required. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Auto Theft Prevention Authority Grant funds, the funds will be returned to the State of Texas and the Auto Theft Prevention Authority in full.

Motion made, seconded and unanimously carried to delete and refer to Legislative Review Committee for Community Development the Resolution that the Citizen Participation Plan for the Consolidated Plan, which relates to the City's three formula grants from HUD and was adopted by City Council on June 20, 1995, be revised to include the citizen participation requirements for guaranteed loan funds.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of ELEVEN THOUSAND SIX HUNDRED AND NO/100THS DOLLARS (\$ 11,600.00 - \$10,800 loan/ \$800 grant) against the following described real property:

Lots 22 and 23 and the South ½ of Lot 24, Block 60, ALTURA PARK ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Book 1, Page 7, Plat Records, El Paso County, Texas; also known and numbered as 2715 Justus Street, El Paso, Texas 79930.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FOURTEEN THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS (\$ 14,500.00) against the following described real property:

Lot 3, and the West ½ of Lot 4, Block 4, GOVERNMENT HILL ADDITION, an Addition to the City of El Paso, El Paso County, Texas; also known and numbered as 3705 La Luz Avenue, El Paso, Texas 79903.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Service Agreement Grant between the City of El Paso, on behalf of the Westside Branch of the El Paso Public Library System, and Generations on Line (GoL). GoL has received a grant from the IBM Global Work Life Fund and the AT&T Family Care Development Fund to help senior centers, libraries and nursing homes introduce seniors to the Internet through Generations on Line. The grant program includes training tip materials for users, promotional materials for site administrators, and technical support and turnkey setup to any site that has a large screen computer and Internet connection. There is no cost to the City.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Steven Rigby covering an exhibit of "Lord of the Rings Collection" at the Clardy Fox Branch of the El Paso Public Library System for month of October, 2002. This exhibition is at no cost to the City.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event:	Banquet
Licensee:	National Association of Social Workers
Date:	March 7, 2003
Time:	6:00 p.m. - 9:30 p.m.
Charge for Space:	\$400.00
Charge for Staff (est.):	\$320.00
Charge for Insurance:	\$40.00
Area(s):	Lobby

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Museum of Art be authorized to serve wine at One Arts Festival Plaza at the reception for Educator Evening, October 3, 2002, 6:00 p.m. - 8:00 p.m.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Museum of Art be authorized to serve wine and beer at One Arts Festival Plaza at the reception for the exhibition closing of *Visions, Vows and That Old Time Religion: Paintings by John Alexander from 1978-1988* on the evening of October 5, 2002.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Museum of Art be authorized to serve alcohol at One Arts Festival Plaza at the Museum foundation fundraiser preview dinner for *"Idol of the Moderns: Pierre-Auguste Renoir and American Painting"* exhibition on the evening of November 2, 2002.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

1. CONTRACTOR: Raymundo Arango, Swim Instructor, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.35
CONTRACT NO: 2002/2003-104
2. CONTRACTOR: Sonny Bernal, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-105
3. CONTRACTOR: Gabriel E. Chavez, Indoor Pool Manager, Step
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$8.00
CONTRACT NO: 2002/2003-106
4. CONTRACTOR: Mayra Cobos, Swim Instructor, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.35
CONTRACT NO: 2002/2003-107

5. CONTRACTOR: Ruby R. Cobos, Lifeguard, Step 3
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.20
CONTRACT NO: 2002/2003-108
6. CONTRACTOR: Jose A. Contreras, Pool Attendant, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.40
CONTRACT NO: 2002/2003-109
7. CONTRACTOR: Daniel A. Cortez, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-110
8. CONTRACTOR: Elsa Esparza, Swim Instructor Coordinator, Step 4
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$7.55
CONTRACT NO: 2002/2003-111
9. CONTRACTOR: Ivan C. Cenicerros, Swim Instructor, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.35
CONTRACT NO: 2002/2003-112
10. CONTRACTOR: Robert Hall, Senior Lifeguard, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.60
CONTRACT NO: 2002/2003-113
11. CONTRACTOR: Jacklyn Gallegos, Swim Instructor, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.50
CONTRACT NO: 2002/2003-114
12. CONTRACTOR: Abner Gutierrez, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-115
13. CONTRACTOR: Michael D. Hernandez, Senior Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.80
CONTRACT NO: 2002/2003-116
14. CONTRACTOR: Olga Herrera, Swim Instructor, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.35
CONTRACT NO: 2002/2003-117

15. CONTRACTOR: Joshua M. Jordan, Lifeguard, Step 3
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.20
CONTRACT NO: 2002/2003-118
16. CONTRACTOR: Shawn M. Jordan, Lifeguard, Step 3
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.20
CONTRACT NO: 2002/2003-119
17. CONTRACTOR: Maribel Llaguno, Pool Attendant, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.40
CONTRACT NO: 2002/2003-120
18. CONTRACTOR: Daniel A. Lopez, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-121
19. CONTRACTOR: Angel J. Munoz, Swim Instructor, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.35
CONTRACT NO: 2002/2003-122
20. CONTRACTOR: Naomi Y. Nieto, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-123
21. CONTRACTOR: Beltsabe Ortega, Pool Attendant, Step 3
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.80
CONTRACT NO: 2002/2003-124
22. CONTRACTOR: Miguel Ortiz, Lifeguard, Step 4
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.40
CONTRACT NO: 2002/2003-125
23. CONTRACTOR: George A. Rincon, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-126
24. CONTRACTOR: Carlos A. Rosales, Pool Attendant, Step 3
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.80
CONTRACT NO: 2002/2003-127
25. CONTRACTOR: Frank Samaniego, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-128

26. CONTRACTOR: Jessica E. Sanchez, Senior Lifeguard, Step 4
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$7.20
CONTRACT NO: 2002/2003-129
27. CONTRACTOR: Sirena F. Sanchez, Pool Attendant, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.40
CONTRACT NO: 2002/2003-130
28. CONTRACTOR: Natalie Schaffino, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-131
29. CONTRACTOR: Magaly Tapia, Swim Instructor, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$5.35
CONTRACT NO: 2002/2003-132
30. CONTRACTOR: Amy Wheeler, Indoor Pool Manager, Step 1
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$7.75
CONTRACT NO: 2002/2003-133
31. CONTRACTOR: Alberto Zamarripa, Lifeguard, Step 2
DATES: October 01, 2002 thru September 30, 2003
RATE PER HR: \$6.00
CONTRACT NO: 2002/2003-134

*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

NORTHEAST RECREATION CENTER

DEPARTMENT ID: 51510107, ACCOUNT 502215

1. CONTRACTOR: Floyd Williams, Timekeeper/Scorekeeper Midnight Basketball
DATES: September 27, 2002 thru August 31, 2003
RATE PER GM: \$7.00
MAXIMUM AMT: \$840.00
CONTRACT: 2002/2003-060
2. CONTRACTOR: Ft. Bliss Athletic Officials Association, Midnight Basketball
DATES: September 27, 2002 thru August 31, 2003
RATE PER GM: \$32.00
MAXIMUM AMT: \$3,200.00
CONTRACT: 2002/2003-0061

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **RICHARD L. DEL HIERRO** to increase the total amount of compensation from \$1,560.06 biweekly to \$1,671.93 biweekly and to add additional duties.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **ALFREDO SOLANO** to increase the total amount of compensation from \$1,772.92 biweekly to \$1,951.26 biweekly and to add additional duties.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **DIANA KLINGER** as a Chemist I for the El Paso Water Utilities at the rate of \$9.42 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator. The contract period is from September 25, 2002 through September 24, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **APRIL DEUCHER** as a Chemist I for the El Paso Water Utilities at the rate of \$9.42 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator. The contract period is from September 25, 2002 through September 24, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **CARLOS A. RINCON** to assist the Municipal Court as a Deputy Court Clerk at an hourly rate of \$9.98, for 20 hours per week. The term of the contract shall be for the period of September 25, 2002 through August 31, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **BEA ESPARZA, YMCA WALK EL PASO**, to present a family fitness presentation to children and parents at the Main Library on September 28, 2002 from 9:00 a.m. to 11:00 a.m. There is no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **JOHN M. ORTIZ**, on behalf of the El Paso Public Library, to conduct three 50-minute workshops titled "Making Sense of the Numbers" on September 28, 2002 between 10:00 a.m. and 1:00 p.m. The total amount of the contract, including lodging, miscellaneous, and car rental expenses, shall not exceed \$376.00.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **JUANITA E. PALMER**, to assist the Westside Branch Library with shelving books, mending books, and assist with storytime. The contract period is from September 25, 2002 through September 24, 2003, 10 hours per month. There is no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **CAROL A. VETTER**, to assist the Lower Branch Library with the "Read as One"/"Leamos Juntos" program and assist with clerical duties from September 25, 2002 through September 24, 2003 for 10 hours per week. There is no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **KATHLEEN D. CONROY**, to assist with shelving, preparation of library materials for circulation, identify accelerated reader books, and assist with children's story time at the Cielo Vista Branch Library. The contract period is from September 25, 2002 through September 24, 2003, 3-6 hours per week. There is no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the grant applications and related documents for the certified grants from the Rio Grande Council of Governments for grants in the amounts of \$14,000.00, \$78,000.00, \$16,450.00 and \$25,000.00 to address the need of additional Recycling Trailers to collect and have a better method of unloading aluminum cans; to establish a more appropriate method of collecting, transporting, and disposing of household hazardous waste; to provide customers with adequate baskets and to store recyclable materials, and to provide additional services to the community to include yard waste. The In-Kind Services required for these grants are \$11,735.00, \$6,816.00, \$6,041.00, and \$8,304 respectively.

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: KOACH JOINT VENTURE of described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

215 JOE SANTOS, City of El Paso, El Paso County, Texas, being more particularly described as Tract 72-D (1.431 ACRES), 179, S A & M G RR SURV 267 ABST 179 Subdivision, Parcel X267-999-S00E-2800,

to be TWO HUNDRED SIXTY ONE AND 97/100 DOLLARS (\$261.97) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Fifth day of June, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of TWO HUNDRED SIXTY ONE AND 97/100 DOLLARS (\$261.97) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: PEDRO & ROSA M. LOPEZ of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

6025 Isabella Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 164 (7560 SQ FT), Block 10, Coronado Hills #1 Subdivision, Parcel C818-999-0100-1900,

to be THREE HUNDRED THIRTY TWO AND 33/100 DOLLARS (\$332.33) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Fifth day of December, 2001 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of THREE HUNDRED THIRTY TWO AND 33/100 DOLLARS (\$332.33) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: MORALES, SALVADOR & MARTIN of described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

4038 DONIPHAN DRIVE, City of El Paso, El Paso County, Texas, being more particularly described as Tract 22-A (0.147 ACRE), George L Wilson Sur 91 Abst 2716 Subdivision, Parcel X091-999-000B-4100,

to be EIGHT HUNDRED FORTY NINE & 76/100 DOLLARS (\$849.76) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty Third day of May, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of EIGHT HUNDRED FORTY NINE & 76/100 DOLLARS (\$849.76) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....
***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: MEHLE, F DOUGLAS of described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3300 Block of Lee Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 12, Block 7, Hueco View Acres Subdivision, Parcel H817-999-0070-4900,

to be FIVE HUNDRED FIFTY NINE AND 65/100 DOLLARS (\$559.65) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Second day of May, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of FIVE HUNDRED FIFTY NINE AND 65/100 DOLLARS (\$559.65) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....
***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: JOSEFINA G. RIVERA of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

244 North Toledo Place, City of El Paso, El Paso County, Texas, being more particularly described as Lot 5 & 6, Block 5, Sambrano Subdivision, Parcel S052-999-0050-0900,

to be TWO HUNDRED THREE AND 51/100 DOLLARS (\$203.51) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty Fifth day of October, 1999 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of TWO HUNDRED THREE AND 51/100 DOLLARS (\$203.51) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....
***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: GOMEZ, S G & JUAN R & 1 of described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

6241 Tampa Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Lot 32(6000 SQ FT), Block 18, Womble Subdivision, Parcel W813-999-0180-6300,

to be ONE HUNDRED EIGHTEEN AND 80/100 DOLLARS (\$118.80) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the First day of May, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED EIGHTEEN AND 80/100 DOLLARS (\$118.80) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....
***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: FRANK MARIN of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3921 North Piedras, City of El Paso, El Paso County, Texas, being more particularly described as Lot 27 & 28 (6912 SQ FT), Block 4, Summit Place Subdivision, Parcel S804-999-0040-5300,

to be EIGHTY FOUR AND 44/100 DOLLARS (\$84.44) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Sixth day of March, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of EIGHTY FOUR AND 44/100 DOLLARS (\$84.44) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....
***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: BANNISTER, PRESTON H of described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3300 Block of Lee Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 12, Block 7, Hueco View Acres Subdivision, Parcel H817-999-0070-4900,

to be FIVE HUNDRED FIFTY NINE AND 65/100 DOLLARS (\$559.65) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Second day of May, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of FIVE HUNDRED FIFTY NINE AND 65/100 DOLLARS (\$559.65) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....
***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: SAENZ, UBALDO of described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

905 MAGOFFIN AVENUE, City of El Paso, El Paso County, Texas, being more particularly described as Lot 3 & 4 (6240 SQ FT), Block 214, Campbell Subdivision, Parcel C050-999-2140-1700,

to be ONE HUNDRED EIGHTY TWO AND 94/100 DOLLARS (\$182.94) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Fifteenth day of May, 2001 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED EIGHTY TWO AND 94/100 DOLLARS (\$182.94) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

*RESOLUTION

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: SEGURA, GERARDO P & ANA MA of described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

1002 ARIZONA AVENUE, City of El Paso, El Paso County, Texas, being more particularly described as Lot 3 & 4 (6000 SQ FT), Block 280, Pierce Finley Subdivision, Parcel P795-999-2800-0600,

to be SEVENTY ONE & 45/100 DOLLARS (\$71.45) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Thirty First day of July, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of SEVENTY ONE & 45/100 DOLLARS (\$71.45) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

*RESOLUTION

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: DOMINGUEZ, VICTORIA G. of described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

153 N COTTON STREET, City of El Paso, El Paso County, Texas, being more particularly described as Lot S 70 FT OF 10 & S 70 FT OF E 17 FT OF 9 (0.07), Block 33, Franklin Heights Subdivision, Parcel F607-999-0330-4900,

to be SIXTY EIGHT & 20/100 DOLLARS (\$68.20) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twentieth day of February, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of SIXTY EIGHT & 20/100 DOLLARS (\$68.20) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....
***R E S O L U T I O N**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: SUNSET LODGE #392 INTL ASSN of described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

2431 Yandell, City of El Paso, El Paso County, Texas, being more particularly described as Lot 31 and 32 (6000 SQ FT), Block 89, Bassett Subdivision, Parcel B202-999-0890-7600,

to be ONE HUNDRED FORTY AND 18/100 DOLLARS (\$140.18) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twentieth day of February, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED FORTY AND 18/100 DOLLARS (\$140.18) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with EL PASO FIRST HEALTH PLANS, INC. to lease the company One (1) 6 Cubic Yard Dumpster for a service fee of \$15.00 for each month and Two (2) 32 Gallon Containers for a service fee of \$5.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with EL PASO MORTGAGE CORPORATION to lease the company One (1) 32 Gallon Containers for a service fee of \$5.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with the ALAMEDA THRIFTY PHARMACY, INC. to lease the company One (1) 4 Cubic Yard Dumpster for a service fee of \$15.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with THE SKILLS & THRILLS CENTER to lease the company Seven (7) 8 Gallon Baskets for a service fee of \$5.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with ADVANCE'D TEMPORARIES, INC. to lease the company Three (3) 32 Gallon Containers for a service fee of \$5.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with AQUATICS UNLIMITED to lease the company One (1) 4 Cubic Yard Dumpster for a service fee of \$15.00 for each month for the purpose of

collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with MAJOR MEDICAL to lease the company One (1) 4 Cubic Yard Dumpster for a service fee of \$15.00 for each month and Four (4) 32 Gallon Containers for an additional service fee of \$5.00 for each month for the service fee of \$20.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with BORDER DEMOLITION & ENVIRONMENTAL to lease the company One (1) 32 Gallon Container for a service fee of \$5.00 each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....
***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 29th day of October, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 105 N. Oregon St., in El Paso, Texas, which property is more particularly described as:

Lots: A portion of Lots 32 and 33, Block 6, MILLS MAP ADDITION, an Addition to the City of El Paso, El Paso County, Texas, and being more particularly described by Metes and Bounds as shown in Exhibit A attached hereto and made a part hereof for all purpose intended.

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Caples Land Company, L. L. C. C/O William D. Abraham, President, 717 E. San Antonio Ave., El Paso, Texas 79902, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the Deputy City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Services Department, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 29th day of October, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 1609 James Chisom Dr., in El Paso, Texas, which property is more particularly described as:

Lot: 31, Block 252, Vista Del Sol Unit Forty Six Replat "A", an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 54, Page 21 and 21A, Plat Records of El Paso County, Texas.

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Firststar Bank National Association, P. O. Box 20005, Owensboro, KY 42304-0005, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the Deputy City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Services Department, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*Motion made, seconded and unanimously carried to approve the authorization to transfer \$500.00 from District 8 Discretionary Funds to the Parks Department to assist with the "Safe Halloween Party" sponsored by El Paso Public Libraries and the Department of Parks and Recreation.

.....
*Motion made, seconded and unanimously carried to approve the request for the following name(s) to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

Zuniga, Rosea I. – Recreation Leader II

.....
*Motion made, seconded and unanimously carried to re-appoint Blanca Vasquez to the Cable Communication Commission by Representative Sariñana.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week the board re-appointment of Elsie J. Morgan to the Cable Communication Commission by Mayor Raymond C. Caballero.

.....
*Motion made, seconded and unanimously carried to appoint Mike Longoria to the Arts Resources Board to fill an unexpired term by Representative Power.

*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

11 street lights, at various locations within the Sahara Subdivision in District IV, totaling the amount of \$10,452.00, as part of the CDBG Street and Drainage improvement project in that area.

*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #P654-999-0910-5100, \$194.50 per month installments on a balance of \$3,501.00 for 2000 & 2001 taxes; David and Maria Salazar – 11181 Childress Ave.
- B. PID #S804-999-0360-7100 & #M436-999-0100-7900, \$1,037.92 per month installments on a balance of \$12,455.04 for 1998, 1999, 2000 & 2001 taxes; Mario & Sylvia Miramontes – 2714 Pierce Ave.
- C. PID #H867-999-0020-2500, \$102.17 per month installments on a balance of \$3,269.44 for 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998 & 1999 taxes; Andres E. Yslas – 5708 Dailey Ave.
- D. PID #C340-999-1360-0600, \$357.50 per month installments on a balance of \$2,860.00 for 2001 taxes; Johnny E. & Pamela Cook – 6729 El Parque Dr.
- E. PID #V893-999-0940-1700, \$1,179.85 per month installments on a balance of \$7,079.10 for 1999, 2000 & 2001 taxes; Maria I. Villareal & Blanca Estella Baca – 2612 Julius Boros C.

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Sierra Title Co., in the amount of \$1,284.71; overpayment of 1999 taxes.
(PID #E054-999-0240-1900)
- B. Enrique Ruiz III, in the amount of \$2,497.87; overpayment of 2001 taxes.
(PID #E933-999-0020-1000)
- C. Sierra Medical Center, in the amount of \$1,897.14; overpayment of 2001 taxes.
(PID #M300-999-0020-0100)
- D. Sierra Medical Center, in the amount of \$30,875.17; overpayment of 2001 taxes.
(PID #M300-999-0020-0150)
- E. Washington Mutual Home Loans, Inc., \$1,792.01; overpayment of 2001 taxes.
(PID #Q550-999-0050-3200)
- F. Diana Lubianski, in the amount of \$570.88; overpayment of 2001 taxes.
(PID #S231-999-0170-0100)
- G. Saxon Mortgage, in the amount of \$9,653.62; overpayment of 2001 taxes.
(PID #T230-999-0060-1600)
- H. First American Real Estate Tax Service, in the amount of \$2,084.88; overpayment of 2001 taxes.
(PID #W145-999-0630-1200)
- I. James B. Nutter & Company, in the amount of \$1,964.56; overpayment of 2001 taxes.
(PID #M771-999-0090-2000)
- J. Mary G. Martinez, in the amount of \$4,060.70; overpayment of 2001 taxes.
(PID #A462-999-1790-0100)

*Motion made, seconded and unanimously carried to approve the request that the Director of Purchasing be authorized to issue Purchase Order(s) to B&G Chemical & Equipment Co. and Univar USA, Inc. for mosquito control chemicals. B&G Chemical & Equipment Co. is the sole distributor for Aqua-Reslin, Scourage (restricted use pesticide), Altosid, BVA-Mineral Oil, BVA2 Larvicide Oil, Vectobac, and Vectolex in Texas, Oklahoma and New Mexico. Univar USA, Inc. (formerly Vopak) is the sole distributor in Texas for Agnique MMG Larvicide, Bonide Larvicide Oil, Permanone 4%, Permanone 31-66, Bactimos Briquets, Aquabac Granular Larvicide, Penreco Diluent Oil, Atrapa Malathion, Golden Bear Larvicide, and Altosid Formulations. Contract 2000-018.

Award amount: \$75,000.00 (Estimated)
 Funds available: 41010147-01101-503112 General Fund Medical/Clinical Supplies
 Department: Health Environmental Vector Control

*Motion made, seconded and unanimously carried to award Bid No. 2002-193 Janitorial Services Fire Department

Award to:	Vendor (1)	CCBS Building Services El Paso, Texas
Item (s):		1&2
Amount:		\$15,600.00
	Vendor (2)	The Eagle Janitorial Services El Paso, Texas
Item (s):		3
Amount:		\$13,311.00

Department: Municipal Services, Building Maintenance
 Funds available: 31010327-01101-502206
 Funding source: General Funds, Janitorial Maintenance Svcs Contract
 Total award: \$28,911.00

Municipal Services Department and Purchasing recommend awards as indicated as these vendors have provided the Best Value Bid.

This is a thirty-six (36) month contract with no option to extend the term of this contract. Additionally, CCBS Building Services offers a prompt payment discount of 1% 10 Days and The Eagle Janitorial Services offers a prompt payment discount of 3% 20 Days.

*Motion made, seconded and unanimously carried to approve budget transfer BT2003-008 PLANNING
 To transfer appropriations for the purchase of photographic equipment and minor computer equipment supplies to aid City staff in the completion of projects (general photography, illustrating, concept design) for the Mayor's Office and the Planning Department.

Decrease	\$ 201	from	08010034/01101/503107	Photo/Film/Vid
Increase	\$ 201	to	08010347/01111/503104	Min Comp Eq
Decrease	\$ 500	from	08010036/01101/503104	Min Comp Eq
Increase	\$ 500	to	08010347/01101/503104	Min Comp Eq
Decrease	\$ 500	from	08010315/01101/503107	Photo/Film/Vid
Increase	\$ 500	to	08010347/01101/503104	Min Comp Eq
Decrease	\$1,500	from	08010347/01101/501000	Sal & Wages
Increase	\$1,500	to	08010347/01101/503104	Min Comp Eq

*Motion made, seconded and unanimously carried to approve budget transfer BT2003-009 PARKS
 This budget transfer establishes the budget for an after school Neighborhood Youth Outreach Program funded by a grant from El Paso Independent School District.

Increase	\$54,000	to	51150025/G51030107294/406002	Local Grt Proc
Increase	\$35,770	to	51150025/G51030107294/501011	PT Temp
Increase	\$ 1,112	to	51150025/G51030107294/501101	Unemploy
Increase	\$ 2,218	to	51150025/G51030107294/501129	FICA City Mat
Increase	\$ 518	to	51150025/G51030107294/501130	FICA Med Mat
Increase	\$ 150	to	51150025/G51030107294/502302	Print Shop
Increase	\$ 300	to	51150025/G51030107294/503100	Office Sup
Increase	\$ 225	to	51150025/G51030107294/503112	Medical Sup

Increase	\$ 900	to	51150025/G51030107294/503115	Food & Bev
Increase	\$ 3,918	to	51150025/G51030107294/503116	Rec Sup
Increase	\$ 600	to	51150025/G51030107294/504203	Mileage
Increase	\$ 8,250	to	51150025/G51030107294/504422	Field Trips
Increase	\$ 39	to	51150025/G51030107294/501101	UnemplComp

*Motion made, seconded and unanimously carried to approve the following Building Services - refunds:

- A. Building permit (#BLD02-07276) refund to Willies Remodeling in the amount of \$565.25.
- B. Health food license refund to Ofelia Christie in the amount of \$30.00.
- C. Health food license refund to Abel Rabelo in the amount of \$130.00.
- D. Health food license refund to Silvia Ocon in the amount of \$30.00.

*Motion made, seconded and unanimously carried to approve the request of Hanks High School to hold a homecoming parade on October 2, 2002 from 6:00 p.m. to 7:00 p.m. Route: Start at Firestone parking lot, south on Lee Trevino, right on Anise and into Hanks High School parking lot. Approximately 400 persons, 20 vehicles and 5 horses will take part and 2,000 spectators are anticipated. PERMIT NO. 02-130

*Motion made, seconded and unanimously carried to approve the request of Burges High School to hold a homecoming parade on October 14, 2002 from 6:00 p.m. to 7:00 p.m. Route: Exit student parking lot, east on Edgemere, left on Sunburst, west on Edgemere, enter student parking lot. Approximately 40 persons and 15 vehicles will take part and 400 spectators are anticipated. PERMIT NO. 02-129

*Motion made, seconded and unanimously carried to approve the request of Benito Martinez Elementary to hold a Veterans Day Parade/Celebration on November 7, 2002 from 9:00 a.m. to 10:00 a.m. Route: Start at Benito Martinez Elementary, proceed to Tirres, left on Kristy Weaver, right on Nancy McDonald, left on Spencer, left on Lee, left on Robert Wynn, right on Juliette Low, left on Rufus Brijalba, left on Nancy McDonald, right on Robert Wynn and back to Benito Martinez Elementary. Approximately 1,000 persons, 5 vehicles and 6 horses will take part and 500 spectators are anticipated. PERMIT NO. 02-128

*Motion made, seconded and unanimously carried to approve the request of Austin High School to hold a homecoming parade on October 3, 2002 from 6:00 p.m. to 7:00 p.m. Revised Route: Start at Grandview Park (Jefferson & Justus), west on Jefferson to Raynor, south on Raynor to Altura, east on Altura to Stevens, north on Stevens to Austin High School Stadium. Approximately 200 persons and 18 vehicles will take part and 150 spectators are anticipated. PERMIT NO. 02-132

*Motion made, seconded and unanimously carried to approve the request of Candlelighters of the El Paso Area to hold a foot race/walk and health fair on September 28, 2002 from 7:00 a.m. to 10:00 p.m. Route: Start on Brown (Tom Lea Park Lower), go north to Rim and continue west on Rim to Stanton, south on Stanton to Schuster, east on Schuster to end at Tom Lea Park Lower. Approximately 350 persons and 6 vehicles will take part and 100 spectators are anticipated. This request includes permission to use amplification (4,000 watts, 4 cabinet speakers, 1 microphone). PERMIT NO. 02-134

*Motion made, seconded and unanimously carried to approve the request of Bowie High School to hold a homecoming parade on October 5, 2002 from 9:30 am to 12:00 p.m. Route: Assemble at Fourth and Cotton, south on Cotton to Seventh, west to Campbell, north on Campbell to Fr. Rahm, east to Hills, north to Delta, east on Delta to Cotton, south on Cotton and disband at Fourth and Cotton. Approximately 500 persons, 14 vehicles and 1 trailer will take part and 3,500-4,000 spectators are anticipated. PERMIT NO. 02-133

*Motion made, seconded and unanimously carried to approve the request of Parkland High School to hold a homecoming parade on September 26, 2002 from 6:00 p.m. to 8:00 p.m. Route: Start at Parkland High School to Quail, right on Quail, right on Bomarc, go under Loop 375 overpass, right on Nova, left on Ballistic, left on Regulus, left on Minuteman, left on Nova, right on Bomarc, left on Quail, left to parking lot

entrance. Approximately 90 persons and 20 vehicles will take part and 150 spectators are anticipated. PERMIT NO. 02-137

.....
*Motion made, seconded and unanimously carried to approve the request of Citizens for Family Values to hold a community awareness protest on September 28, 2002 from 10:00 a.m. to 12:00 p.m. Route: Sidewalk at the 4800 block of Montana between Huckleberry and El Portal. Approximately 35 persons will take part. PERMIT NO. 02-138

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*Motion made, seconded and unanimously carried to approve the request of Mision Iglesia Universal de Jesucristo to use amplification (2 microphones, 2 speakers, 1 bass, 1 guitar, 1 set of drums) on September 28 & 29, 2002 from 6:00 p.m. to 9:00 p.m. at Estrella Park. Approximately 30 persons will take part and 20 spectators are anticipated. PERMIT NO. 02-139

.....
*Motion made, seconded and unanimously carried to postpone two (2) weeks an Ordinance amending Ordinance No. 15073, providing for Art in Municipal Places, to provide for Certificates of Obligation as an additional source of funding for acquisition or commissioning of art for municipal places and to provide technical corrections.

.....
Motion made by Representative Rodriguez, seconded by Representative Cobos and carried to postpone two (2) weeks an Ordinance providing for the issuance of City of El Paso, Texas, Water and Sewer Revenue Bonds, Series 2002A, in the aggregate principal amount of \$1,000,000, for the purpose of improving and extending the City's water and sewer system and paying the costs related to the issuance of the bonds; and enacting provisions incident and related to the subject and purposes of this Ordinance. Representatives Sumrall and Escobar voted Nay.

Representative Sumrall made remarks regarding the importance of water and the proposed desalination plant.

Representative Sumrall moved to approve the Ordinance. Representative Power seconded.

Representative Cook questioned whether or not the Agreement had been modified as per his request.

Mr. Norman Gordon, attorney, clarified the language change and read the language into the record. He noted that if Council Members request the language change he would provide that to them.

Representative Sumrall stated she did not want to amend the Ordinance language.

Representative Cook explained that he had conducted research in reference to Attorney General Daniel Morales' opinion #444 regarding the City of New Braunfels, Texas and its water utility.

Representative Cobos asked if Council Member Sumrall or Power would reconsider their motion to include the language as requested by Representative Cook.

Representative Sumrall asked that the issue be studied further; however, requested that additional language not be added to the present Ordinance.

Representative Cook commented that it would be necessary to refund the bonds and buy them out if Council Members requested any change.

Representative Sariñana stated he would support the recommendation made by Representative Cook.

Representative Rodriguez questioned what the Public Service Board would do with their land in the future. She noted that the Public Service Board would be conducting a meeting this evening and requested the Ordinance be postponed for one week. Representative Cobos seconded.

Mr. Gordon requested a two-week postponement.

Representative Sumrall questioned what effect the postponement would have on the interest rate.

Mr. Ed Archuleta, Water Utilities General Manager, responded that the meeting tonight would encompass a presentation on the policies of the Public Service Board and more planning prior to land sales. He explained that recently the Public Service Board had conveyed land to the City for an animal shelter; however, in the past the PSB had conveyed land for the maintenance facility for the Mass Transit Department, Police Regional Command Centers, Parks, etc. He recommended Council Members approve the Ordinance as written.

Mr. Charlie McNabb, Chief Administrative Officer, stated that postponing the item for two weeks would not affect the interest rate.

Mr. Gordon stated that the interest rate was zero.

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ORDINANCE 15240

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING SYLVIA GOMEZ TO USE A PORTION OF SUFFOLK PARK FROM 2:00 PM UNTIL 5:00 PM ON SEPTEMBER 28, 2002**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Power, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15241

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE EAST 1/2 OF LOTS 11, 12 AND 13, BLOCK 229, CAMPBELL ADDITION, EL PASO, EL PASO COUNTY, TEXAS, (606 EAST MILLS AVENUE) FROM M-1 (MANUFACTURING) TO C-5 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Cobos questioned whether any opposition to the zoning change existed.

Ms. Patricia Adatao, Director of Planning, Research and Development, stated that the Department had received one letter in opposition from the property owner at 600 Texas Avenue. She noted that both the DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended in favor of the zoning change and special permit requests.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Medina was not present for the vote.

ORDINANCE 15242

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-02007 TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS THE EAST 1/2 OF LOTS 11, 12 AND 13, BLOCK 229, CAMPBELL ADDITION, EL PASO, EL PASO COUNTY, TEXAS (606 EAST MILLS AVENUE), PURSUANT TO SECTION 20.64.175, AND THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Ordinance 15241 and 15242 were taken simultaneously.
The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Medina was not present for the vote.

*Motion made, seconded and unanimously carried to delete an Ordinance changing the zoning of a Portion of Lots 17, 18, 19 and 20, Block 3, MIRAFLOR ADDITION, El Paso, El Paso County, Texas (503 - 505 Estrella Street) from A-3 (Apartment) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Elva Rocha / Representative: Luis de la Cruz, 9013 Lait Dr., El Paso, TX 79925. ZC-02025 **THIS IS AN APPEAL CASE**

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to postpone two (2) weeks an Ordinance changing the zoning of Lot 57, Block 2, ALEXANDER, El Paso, El Paso County, Texas (326 Gonzales Street) from R-4 (Residential) to R-5 (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Daniel Alderete/ Representative: Luis de la Cruz, 9013 Lait Dr., El Paso, TX 79925. ZC-02026

Representative Escobar questioned whether there was opposition regarding the zoning change.

Representative Medina was not present for the vote.

Representative Sariñana moved to approve the Ordinance.

Representative Sariñana remarked that the State of Texas had expanded the right-of-way hence parking spaces were removed. He moved to approve the Ordinance. Representative Escobar seconded.

Ms. Adaauto further explained the controversy surrounding the property and noted that a used car lot would be situated on the property. She noted that the applicant would require a minimum C-3 zoning in order to operate the proposed used car lot.

Ms. Adauto responded A-2, a mix of residential uses, C-3 or C-4 Commercial and noted that most properties on North Loop, though zoned commercial, were residential in nature.

Mr. Luis de la Cruz, representing the applicant, commented on the slide presentation as shown by Ms. Adauto.

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 12 AND A PORTION OF LOT 13, BLOCK 60, FRANKLIN HEIGHTS ADDITION, EL PASO, EL PASO COUNTY, TEXAS (1522 MONTANA AVENUE) FROM A-2 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Cobos questioned whether there existed any opposition to the zoning change request.

Ms. Patricia Aduato, Director of Planning, Research and Development, responded no and explained that the zoning change would permit office development on the site as the applicant could not meet the setback requirements in the A-O zoning. She noted that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended in favor.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 2506 San Jose Avenue, in El Paso, Texas, which property is more particularly described as follows:

Lots: 28 & 29, Block 38, Highland Park

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, John Taylor and Linnea Hanson, 4837 Winthrop Dr., El Paso, Texas 79924, record Owners, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on September 24th, 2002; and

WHEREAS, John Taylor APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:

- a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
- b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- c. The structure's certificate of occupancy is hereby revoked; and
- d. That the structure can be reconstructed only with an Engineer's recommendations and drawings.

2. That the City Council hereby orders Owners to comply with the following requirements:
 - a. That the Building be secured and maintained secured from unauthorized entry within (30) days; and
 - b. That the required plans and documents be submitted to plan review within 30 days; and
 - c. That the required permits be obtained within 30 days; and
 - d. That the Building be reconstructed within 90 days; and
 - e. That the Building be demolished if the reconstruction is not complete within 90 days; and
 - f. That the property be cleaned of all weeds, trash and debris within 30 days.
 - g. That a public hearing be scheduled for January 2nd , 2003, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
 - h. That the Owners of said Building are hereby ordered to comply with all requirements of the Resolution; and
 - i. The owners are advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - j. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to bring the property and Building into substantial compliance with all applicable codes and ordinances; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall secure or demolish the Building and maintain the Building secure or demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with securing or demolishing the Building and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with demolishing the Building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and

8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. the affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Representative Sumrall stated that following a telephone conversation with Mr. Taylor, she took a drive to view the property herself and expressed that, in her opinion, Mr. Taylor had grossly exaggerated the cleanliness and safety of the property.

Mr. Thomas Maguire, Building Permits & Inspections, stated he had taken digital photos of the property on Monday and he distributed the photos for Council Members review.

Representative Rodriguez recommended condemning and demolishing the building.

Mayor Raymond C. Caballero questioned whether or not the structure was salvageable.

Mr. Maguire responded depending upon the worth of the structure to the individual.

Representative Rodriguez requested Mr. Larry Trejo, next-door neighbor, come forward and comment on the property.

Mayor Caballero questioned Representative Rodriguez as to whether or not she was in favor of demolishing the structure.

Representative Rodriguez responded that Mr. Trejo would elaborate on the existing problems he has encountered with the property.

Representative Medina commented that he would like to see photographs of the interior of the structure.

Mr. Maguire would provide photographs during the presentation and read the history pertaining to the property and the Department's recommendations into the record.

Representative Cook remarked that under the Resolution of September 12, 2001, the property had been condemned. He asked Mr. John Taylor, property owner, questions regarding the engineer's report submitted to the Building Permits and Inspections Department, specifically, work to be performed on the home must be executed by an certified plumber, electrician and designed by a professional engineer.

Ms. Rita Rodriguez, City Attorney, recommended Council Members discuss the item in Executive Session in the event Council Members had questions.

Mr. Taylor remarked that he had in his possession an amended letter from his engineer stating that the property must be brought up to "code". He explained that when he purchased the property his intention was to renovate it and added that if necessary he would request his attorney, Mr. Joseph "Sib" Abraham, file a Motion.

Representative Cobos questioned whether or not Council Members would like to see the structure demolished or rehabilitated so that the property would add to the City's tax rolls. He questioned what kind of message Council Members wanted to send to private investors.

Representative Power agreed with Representative Cobos' comments; however, understood that Mr. Maguire was enforcing the law(s) and Ordinance(s). He questioned whether or not Mr. Taylor's drawings were adequate so that Building Permits & Inspections would issue the gentleman permits.

Mr. Maguire responded that the engineer, hired by Mr. Taylor, required that professional, licensed contractors submit the drawings in order to renovate the property. He noted that the City of El Paso required engineer drawings for the property; however, have not yet received them.

Representative Power requested that Mr. Taylor be given a 90-day extension in order to allow Mr. Taylor to comply with the Department's requirements.

Mr. Larry Trejo, son of Mr. Candelaria Trejo owner of 2510 San Jose, commented on the poor condition of Mr. Taylor's structure and noted that the best option for Mr. Taylor's property, in his opinion, would be to demolish the property, grade the soil to an even level and finally, build a suitable structure.

Mr. Maguire explained the City's options pertaining to Mr. Taylor's property. He noted that the Building Permits and Inspections Department would allow Mr. Taylor 90 days to comply, 30 days to assemble the plans and permits, and to utilize the remaining days to rehabilitate the structure and bring it up to code.

Representative Rodriguez commented on the poor appearance of Mr. Taylor's property.

Mayor Caballero noted that the poor condition of the property lowers the property values of the neighbors.

Representative Sumrall noted that, in her opinion, the structure had not been built appropriately from the onset.

Mr. Maguire recommended that Mr. Taylor be given the maximum 90-days allowed by law to rehabilitate the structure and added in the event the structure was not rehabilitated according to code, the structure would be demolished.

Representative Rodriguez stated that if the structure was not in compliance that it be demolished on day "91".

Mr. Taylor remarked that the permit requirements allowed him six months to renovate, not 90-days.

Representative Cobos requested the gentleman be given more time as he felt 90 days was not sufficient time to renovate the structure.

Representative Rodriguez moved to discuss the matter during Executive Session. Representative Cobos seconded. The vote was unanimous.

.....

*Motion made, seconded and unanimously carried to postpone two (2) weeks the public hearing to determine if the property located at 4606 Alameda Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, Jose Ponce Villanueva and Rosa Angelica Garcia, 4681 Shifting Sand Drive, El Paso, Texas 79930, have been notified of the violations at this property.

.....
RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 404 Sycamore Way, in El Paso, Texas, which property is more particularly described as follows:

Lot: A portion of Lot 38, Block 6, Stiles Gardens, an addition to the City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as shown in Exhibit A on record with the El Paso County Clerks' office under document #1766-0087

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Robert Warach, permanent administrator of the estate of Margarita Montes, deceased, 404 Sycamore Way, El Paso, Texas 79915, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on September 24th, 2002; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. That the structure can be repaired.
2. That the City Council hereby orders Owners to comply with the following requirements:
 - a. That the Building be secured within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. That all accessory Buildings be demolished
 - d. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
 - e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - f. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to

secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris, and demolish all accessory buildings; and

3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris and demolish all accessory buildings at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris, and demolish all accessory buildings; and
5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the department's recommendation(s).

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to accept the department's recommendations. Representative Sariñana was not present for the vote.

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RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 1607 Gene Torres Drive, in El Paso, Texas, which property is more particularly described as follows:

Lot: 26, Block 255, Vista Del Sol Unit Forty Six Replat "A", an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 54, Page 21 and 21A, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Lidia Nunez (Owner) AKA Lidia Strickland, 1607 Gene Torres Drive, El Paso, Texas 79936, Lidia Nunez (Owner) AKA Lidia Strickland, 1720 Dale Douglas Drive, El Paso, Texas 79936, Lidia Nunez (Owner) AKA Lidia Strickland, 10514 Montwood Drive, El Paso, Texas 79935, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on September 24th, 2002; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. The structure can be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
 - a. That the Building be secured within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. The swimming pool must be drained, cleaned and maintained in a safe condition.
 - d. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
 - e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.

- f. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and drain, clean and maintain the swimming pool in a safe condition according to City Pool Ordinances; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and drain, clean and maintain or fill with dirt and make swimming pool safe according to El Paso City Swimming Pool Ordinance and codes at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and drain, clean and maintain or fill with dirt and make swimming pool safe according to El Paso City Swimming Pool Ordinance and codes; and
5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. the affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the department's recommendation(s).

Motion made by Representative Escobar, seconded by Representative Medina and unanimously carried to accept the department's recommendations.

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Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to award Bid No. 2002-217 City Vehicles 2003

Award to:	Casa Ford
	El Paso, Texas
Item (s):	All
Amount:	\$1,278,070.96 (Estimated Annual Expenditure)
Initial Purchase:	Group I: \$565,458.00
	Group II: \$566,465.96
	Group III: \$122,162.00
	Group IV \$ 23,985.00

Department:	Fleet Services, Airport, Health, Municipal Clerk, Parks & Recreation, Police, Building Maintenance, Solid Waste Management, and Street
Funds available:	04252003-27260-PMB0004130-508006, and others as required
Funding source:	FY 03 CERTIFICATES OF OBLIGATION
Total award:	\$1,278,070.96

The Fleet Services and Purchasing Departments recommend award as indicated to the best value procurement.

This is a requirements type contract. The term of this agreement shall be through the manufacturer's build-out date for model year 2003 vehicles. The Contractor has offered the City the option of extending the term of the contract through the manufacturer's build-out date for model year 2004 and 2005 vehicles at the same unit prices. Staff is recommending that the award be for the initial purchase, the requirements contract, and for the two (2) options to extend. Additionally, it is requested that Staff be authorized to execute budget transfers as necessary for this contract. No prompt payment discount is offered.

Representative Cobos commented that 2003 Certificates of Obligation would be utilized to pay for the vehicles and questioned why there had not been any discussion on that.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, explained that the 2003 Certificates of Obligation would come before Council for approval. He noted that to pay for these certificates, the City would utilize its "cash on hand". He stated he would provide Representative Cobos a copy of the itemized list.

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Motion made by Representative Cook, seconded by Representative Sariñana and carried to reject all bids for Bid No. 2002-172 City Hall 10th Floor Remodeling
Representative Escobar voted Nay.

Contractor: Trinity Construction Enterprises dba TC Enterprises, Inc
El Paso, Texas

Department: Public Works
Funds Available: 31118111-P502003-27035-508027
Funding Source: FY 93 CO's
Items: Base Bid I \$492,683.00
Total Award: \$492,683.00

The Departments of Purchasing, Engineering, and Public Works recommend that Dantex Construction Company, the low bidder, be allowed to withdraw their bid without prejudice or forfeiture of their bid security; and recommend the award of this contract to Trinity Construction Enterprises dba TC Enterprises, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Representative Cobos moved to deny. Representative Sumrall seconded.

Mayor Raymond C. Caballero noted that the structure had been completed in 1979.

Mr. Charlie McNabb, Chief Administrative Officer, noted that the 10th floor was remodeled following the 1984 City Charter election.

Mayor Caballero explained that visitors most utilize the 10th and 2nd floors of the building and that the 10th floor carpeting was in dire need of replacement. He noted that public buildings were the temples of the people and commended Mr. McNabb for his tremendous efforts toward this project.

Representative Cook agreed that the 10th floor carpeting was in need of replacement/repair and, in his opinion, the wrong message was being sent to the public, as the City was currently experiencing approximately \$5 million dollars worth of revenues. It was his opinion that the remodeling project take place at a later date.

Mr. McNabb clarified that a great deal of office space on the 10th floor could be utilized more effectively and added that the City Hall building would be remodeled.

Representative Sumrall reiterated that approximately ½ million dollars was to be spent on the 10th floor alone and added she felt that all other City Hall floors should be remodeled prior to the 10th floor.

Mayor Caballero noted that many projects have not followed through to fruition due to administrations changing every two years and that he has tried to complete as many projects as possible that were initiated by his predecessors. He specifically mentioned the parking garage at the Union Plaza, which was initiated prior to Mayor Francis' administration, which should be completed in the Fall of 2003.

Representative Sumrall moved to approve the modular carpet, the ceiling renovation, the energy saving light fixtures and the special systems.

Representative Cook interjected and stated that Council Members were to award the bid and not to modify the bid.

Mr. McNabb agreed and explained that the bid was to be awarded in its entirety.

Representative Sumrall moved to deny.

Representative Cobos noted that he moved to deny the bid prior to any discussions.

Representative Cook clarified that the motion should be to reject all bids.

Representative Cobos questioned whether or not he could include the language "and to refund the monies".

Mr. McNabb responded no.

Mr. Byron Johnson, Director of Purchasing, explained that if Council Members chose not to award the bid, the bids would remain; unless Council Members chose to reject all bids. He clarified that the motion would be either to award the contract or reject all bids. He remarked that options within the bid could not be separated, as the percentage of Change Orders would be too high, according to State law.

Representative Sariñana seconded the motion to reject all bids.

Representative Sumrall suggested Council Members reject all bids and to bid again on the replacement of the carpet with the modular carpet tiles, replacement of the ceilings and lights that are more energy efficient, repainting the bathrooms.

Mr. McNabb stated the rewiring and cabling should be added.

Representative Sumrall remarked that the next administration might request that the 10th floor be remodeled in its entirety.

Representative Cook reiterated that his motion was to reject all bids.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, remarked that he had a grave concern in reference to the internal auditor and added that the internal audit was a Mayor and Council function. He explained that the Internal Auditor should report directly to the Mayor and Council and offices should be located on the 10th floor.

Representative Medina stated that aside from the energy efficient and safety items on the 10th floor, he felt that many Council Members were comfortable with their current offices. He agreed that remodeling of other City Hall floors should take precedent.

Mr. McNabb stated the Internal Auditor and Grant offices should be located on the 10th floor and in order to comfortably situate these two Departments on the 10th floor, some remodeling would be necessary.

Representative Escobar explained that it would be more expensive to "piece meal" the remodeling process and that if the remodeling was to take place it should be done at the same time.

The vote to reject all bids was taken with the following results:

Representative Sumrall, Representative Rodriguez, Representative Medina, Representative Cook, Representative Power, Representative Sariñana and Representative Cobos voted Aye.
Representative Escobar voted Nay.

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Motion made by Representative Power, seconded by Representative Cook and unanimously carried to award Bid No. 2002-187 Kimberly Heights Street & Drainage Improvements

Contractor: C. F. Jordan, LP
El Paso, Texas

Department:	Streets	
Funds Available:	PPW0028002-508027	
Funding Source:	FY2003 COs	
Items:	Base Bid I	\$568,895.00
	Base Bid 1A	\$ 1,569.84
	Base Bid 1B	\$ 37,499.18
	Base Bid 1C	\$ 27,885.70
	Base Bid 2	\$333,680.00
	Base Bid 2A	\$ 252.96
	Base Bid 2B	\$ 13,654.11
	Base Bid 2C	\$ 9,631.29
	Base Bid 3	\$308,139.00
	Base Bid 3A	\$ 442.68
	Base Bid 3B	\$ 51,066.83
	Base Bid 3C	\$ 61,010.96
	Base Bid 4	\$555,251.00
	Base Bid 4A	\$ 1,230.08
	Base Bid 4B	\$ 98,838.83
	Base Bid 4C	\$ 98,339.55
	Base Bid 5	\$246,677.00
	Base Bid 5A	\$ 790.50
	Alternate 1	\$ 70,590.00
	Alternate 2	\$ 46,725.00
	Alternate 3	\$ 100.00
	Alternate 4	\$ 7,877.00
Total Award:		\$2,540,146.51

The Departments of Purchasing, Engineering, and Streets recommend the award of this contract to C. F. Jordan LP, the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

1. Lump Sum Component

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

Representative Cobos was not present for the vote.

Representative Power remarked that Kimberly Heights has plagued District 5 for many years and noted that Council Members would be awarding the bid to pave the streets and improve the drainage system. He noted that the costs for the project would be under the projected costs and moved to approve. Representative Cook seconded.

Representative Sumrall remarked that each property owner would be required to pay a portion of the cost and that the City would pay a percentage of that. She questioned whether the property owners had agreed to pay their portion of the percentage or would the City pay the entire amount for those property owners.

Ms. Rita Rodriguez, City Attorney, noted that the City was to provide an assessment of the costs and following the completion of the assessment the property owner would receive a bill. She added that if the property owner failed to make payments on a timely basis, further action would be pursued. She noted that this procedure was approved through the passage of an Ordinance.

Representative Sumrall questioned what the percentage was that the property owner would be responsible to pay.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, remarked that the City's financial input would be \$300,000; \$600,000 was the Public Service Board's input and the remaining amount would be left up to the property owners. He added that the City was providing the funds up front.

Representative Medina remarked that the subdivision would be greatly improved with the street paving and drainage improvements. He noted that former Council Member Presi Ortega was responsible for implementing the street paving and drainage improvements for Kimberly Heights.

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R E S O L U T I O N

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF EL PASO, PURSUANT TO INTERNAL REVENUE CODE REGULATIONS SECTION 1.150-2(e), TO FINANCE CERTAIN EXPENDITURES TO BE INCURRED FOR YEAR 2003 CAPITAL IMPROVEMENTS FROM THE PROCEEDS OF THE SALE OF CITY TAX-EXEMPT OBLIGATIONS. (KIMBERLY HEIGHTS STREETS & DRAINAGE IMPROVEMENTS)

WHEREAS, the City of El Paso, Texas (the "City") is a governmental entity authorized to issue obligations to finance its activities pursuant to the laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes ("Tax-Exempt Obligations") pursuant to Section 103 of the United States Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the acquisition, construction, reconstruction or renovation of the property listed on Exhibit "A" attached hereto; and, (Exhibit on file with this Resolution in the City Clerk's Office)

WHEREAS, the City has concluded that it does not currently desire to issue Tax-Exempt Obligations to finance the costs associated with the property listed on Exhibit "A" attached hereto; and,

WHEREAS, the City desires to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof; and,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

WHEREAS, the El Paso City Council approved a City-sponsored Dia De Los Muertos Cultural Event held on November 1, 2001 that embraced a cultural tradition of many persons around the world and has become a popular event among many El Pasoans as they seek to remember and publicly honor those who have died and contributed to El Paso, the United States and the world, and to the lives of persons living and visiting El Paso; and

WHEREAS, the presentation of festivals and special events within the Downtown Area of El Paso encourages persons to visit the Area which benefits the City and downtown revitalization efforts; and

WHEREAS, the Dia De Los Muertos Cultural Event is proposed as an annual celebration benefiting the citizens of El Paso; and

WHEREAS, the presentation of the Dia De Los Muertos Cultural Event utilizes City park and museum facilities for the governmental purposes for which they were created and serves an important public purpose, such as to allow the City to expend public funds, services and resources for the presentation of the Event; and

WHEREAS, the closure of certain public rights-of-way within the Downtown Area of the City is necessary to ensure the public health, safety and welfare of the citizens attending the Dia De Los Muertos Cultural Event,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. **THAT** the City shall present the Dia De Los Muertos Cultural Event to be held on Friday, November 1, 2002, between 6:00 p.m. and 9:00 p.m. in the San Jacinto Park and Arts Festival Plaza, utilizing those City facilities and City staff, resources and funding necessary for the promotion and presentation of the event.

2. **THAT** the City Departments of Planning, Research & Development, Parks & Recreation, Arts & Culture, Museums, and any other City department necessary be authorized to process and handle applications necessary to permit the Dia De Los Muertos Cultural Event to take place on November 1, 2002, including use of San Jacinto Park and the Arts Festival Plaza and the closure of certain public rights-of-way in the Downtown Area.

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to approve the above Resolution. Representative Cobos was not present for the vote.

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to authorize the Planning, Research & Development Department on behalf of the El Paso International Airport to accept and process a rezoning and special use permit application on airport property leased by Patriot Place, Ltd.

There being no public comment, the vote was taken. Representative Cobos was not present for the vote.

*Motion made, seconded and unanimously carried to postpone two (2) weeks the discussion and action on the proposal by the Household Finance Corporation to release first time homebuyers funds in all areas of the city except 79936 and 79938 zip codes by Representative Power.

*Motion made, seconded and unanimously carried to delete the Discussion and Action concerning the request of Bienivir Senior Health Services to have the City release funds held in escrow related to the design and construction of the facility at 2300 McKinley and to authorize the Mayor to sign all documents necessary to amend the existing loan and escrow documents. [Amy Sanders]

No action was taken regarding the discussion and progress update on the construction of the New Animal Shelter as requested by Representatives Cook and Sumrall.

Ms. Rita Rodriguez, City Attorney, explained that a location had been approved by both the City and County of El Paso and added that the Public Service Board had released the land to the City under the provisions of an Agreement that the City had with the PSB regarding release of land for City Departments at the cost of approximately \$1,500.00. She added that the current Interlocal Agreement between the City and the County provided that the County would also be an owner of the underlying real property. She explained that in the event the City chose this option the City would need to refund the amount of monies back to the PSB due to the utilization of the bonds. She remarked that the City Attorney's office would amend the Interlocal Agreement.

Representative Cook questioned the length of time it would take to resolve the matter with the County.

Ms. Rodriguez remarked that the time matter would be left to County to decide and added that the County did not see a problem with the language. She noted that the budget for the County would be approved by the end of September.

Mayor Raymond C. Caballero requested Ms. Rodriguez inform Representatives Sumrall and Cook immediately upon receiving approval from the County.

Representative Sumrall remarked that she was disappointed the County was accusing the City of holding back on the Animal Shelter construction when in fact it was the County. She noted that many projects have been prolonged due to the County not providing funding, etc. in a timely manner.

Representative Cook remarked that his appointee to the Animal Shelter Advisory Board was present and asked him to comment.

Mr. Jim Kluetz, member of the City/County Animal Shelter Advisory Committee, explained that he had recently had a conversation with Commissioner Scruggs and noted that he felt Commissioner Scruggs was not receiving pertinent information.

Mayor Caballero questioned whether or not the Interlocal Agreement was in the County's possession and whether the City had signed and fulfilled its obligations regarding the construction of the new animal shelter.

Ms. Rodriguez responded that she would place an item on next week's City Council Agenda for Council Members to approve the Interlocal Agreement.

Mr. Charlie McNabb, Chief Administrative Officer, explained the procedure regarding the acquisition of the PSB land, the cost of the PSB land initially; and noted that the City would be the property owners; however, both the City and the County would jointly own the building.

Representative Sumrall questioned why the County would co-own the building at all and suggested that the County pay the City for the boarding of the animals that are brought in by the County.

Representative Sariñana questioned what the total acreage of the PSB land was.

Mr. McNabb explained that the City had designed the Animal Shelter building and that the County would share in the costs associated with the Animal Shelter facility.

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No action was taken regarding the discussion on stop sign needed at Zapal and Torres Street.
[Robert Romo]

Mr. Roberto Romo, citizen, commented on the need for a stop sign at Zapal and Torres Streets located near the Asarco plant on the westside of El Paso and expressed his concern that a fast moving vehicle might come through his home.

Mayor Raymond C. Caballero explained that many intersections throughout the City were “uncontrolled” intersections and that objectives need to be met in order to determine whether or not the intersection of Zapal and Torres met qualifications for some type of intersection control device.

Representatives Sumrall, Medina, and Sariñana made comments.

Representative Power explained that in the near future he would be bringing “speed humps” for discussion at a future City Council meeting. He noted that speed humps would greatly reduce and control the speed limits throughout the City’s neighborhoods.

Representative Cook added comments regarding the speed humps.

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Representative Cobos explained Mr. Sierra had requested a two-week postponement; however, Representative Sumrall suggested deleting the item.

Motion made by Representative Medina, seconded by Representative Escobar and unanimously carried to reconsider Mr. Caballero: The “No Smoking” Ordinance adopted by this City Council, I think it has in its broad powers, restrains citizens from lighting when and where they feel like it. Settlement it’s all right, we smokers contribute to it and have constitutional rights as well. [Leopoldo E. Sierra]. The vote to reconsider was unanimous.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the following: Mr. Caballero: The “No Smoking” Ordinance adopted by this City Council, I think it has in its broad powers, restrains citizens from lighting when and where they feel like it. Settlement it’s all right, we smokers contribute to it and have constitutional rights as well. [Leopoldo E. Sierra]. The vote to delete was unanimous.

Representative Cook apologized to members of the public who had come to the meeting to speak on the matter.

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Motion made by Representative Sariñana, seconded by Representative Power and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing: Representatives Sumrall and Cobos were not present for the vote.

- A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.130 (Schedule XI—Parking Meter Zones) to eliminate established zones and amending exemptions.
- B. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF **ENERGY MANAGER**.
- C. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF **WASTEWATER OPERATIONS CONTROL ANALYST**.

- D. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF **ZOO COMMISSARY SUPERVISOR**.
- E. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **WELL PRODUCTION FIELD OPERATOR**.
- F. AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF **TREASURY SERVICES MANAGER**.
- G. An Ordinance granting a Special Privilege to EEC Investments, Inc. d/b/a EEC Fashions to permit temporary sidewalk vending within portions of public right-of-way located at 501 S. Stanton Street, 508 S. Stanton Street and 408 S. El Paso Street from October 9, 2002 through July 3, 2003. (Fee: \$72.36 per 3' x 9' vending area, SP-02017)
- H. An Ordinance granting a Special Privilege authorizing the temporary closure of Oregon Street between Main Drive and Mills Street and San Francisco Avenue (Trolley Lane) between El Paso Street and Santa Fe Street for a City-sponsored Dia de los Muertos Cultural Event on November 1, 2002. SP-02016
- I. An Ordinance granting a Special Privilege to the Central Business Association of El Paso, Inc., to permit temporary sidewalk vending for participating merchants within certain public rights-of-way in Downtown El Paso from October 9, 2002 through July 3, 2003. (Fee: \$72.36 per 3' x 9' vending area or \$147.74 per 6' x 9' vending area, SP-02018)
- J. An Ordinance repealing Ordinance 14996, which created Tax Incremental Finance (TIF) District #2.
- K. An Ordinance repealing Ordinance 14999, which created Tax Incremental Finance (TIF) District #3.

PUBLIC HEARING WILL BE HELD ON OCTOBER 8, 2002 FOR ITEMS A – K

- L. An Ordinance amending Ordinance Nos. 2033, 3292, and 9768, which changed the zoning of portions of Lots 1 and 1A, Block 6, NORTHGATE REPLAT C, City of El Paso, El Paso County, Texas (9428 Dyer) and imposed certain conditions, by deleting those conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZONE: C-1/sc (Commercial/special contract) and C-3/sc (Commercial/special contract). Applicant: CAP II-Wren/ Dyer, LP/ Representative: George Rainhart Architects, 2325 San Pedro NE, #2A, Albuquerque, NM 87110 SC-02004
- M. An Ordinance amending Ordinance No. 9473, which changed the zoning of Lots 11-13, Block 113A, VISTA DEL SOL UNIT 16, City of El Paso, El Paso County, Texas (1430 Vanderbilt) and imposed certain conditions, by deleting those conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZONE: C-4/sc/sp (Commercial/special contract/special permit). Applicant: Sun Apparel of Texas, Ltd./ Representative: Lewis Realty Group, Inc., 7338 Remcon Circle, Suite 100, El Paso, TX 79912 SC-02005

PUBLIC HEARING WILL BE HELD ON OCTOBER 15, 2002 FOR ITEMS L- M

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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ADDITION TO THE AGENDA

***RESOLUTION**

WHEREAS, Southern Union Gas Company, an operating division of Southern Union Company ("Company"), is a regulated utility subject to the exclusive original jurisdiction of the City of El Paso ("City") for rates, services and operations within the City; and

WHEREAS, on July 18, 2002, the Company filed a Statement of Intent to increase base rates by \$3,976,159 in its El Paso Service Area, effective 35 days after the filing; and

WHEREAS, the City Council suspended the operation of the filings for 90 days from the effective dates or the maximum allowed by law; and

WHEREAS, Southern Union Gas Company has provided evidence that it has complied with the notice requirements of Texas Utilities Code Section 104.103; and

WHEREAS, City Council on September 17, 2002 approved by Resolution, a base rate revenue increase of \$1,918,230 per annum for the El Paso Service Area, an increase permitting the Company a reasonable opportunity to earn a reasonable return on its invested capital used and useful in providing service to the public in excess of its reasonable and necessary operating expenses; and

WHEREAS, the City Council, in its September 17, 2002 Resolution, ordered Southern Union Gas to submit for approval by City Council new rate schedules setting forth the rates approved in the September 17, 2002 Resolution; and

WHEREAS, Southern Union Gas filed the required Rate Sheets and Tariffs with the City on September 19, 2002; and

WHEREAS, the City Council finds that the Tariffs and Rate Sheets attached hereto should be adopted; and

WHEREAS, the City Council finds that the Rate Schedules filed and attached as Exhibit "A" to the Resolution are consistent with the Resolution of September 17, 2002, and should be approved.

THEREFORE, be it resolved by the City Council of the City of El Paso:

Section 1 **THAT** the rate Schedules (Numbers) for Residential Service (10), Commercial Service (20), Commercial Air Conditioning Service (21), Public Authority Service (25), Public Authority Air Conditioning Service (26), Municipal Water Pumping Service (27) and Industrial Service (40), Industrial Air Conditioning Service (41), Electrical Cogeneration and Energy Conservation Rate (C-1), Firm Transportation Rate (T-2), Interruptible Transportation Rate (T-3), and Cost of Gas Clause (2-2-INC) attached hereto as Exhibit "A" are approved for Service within the City of El Paso for bills rendered on and after September 24, 2002.

Section 2 **THAT** all relief requested by Southern Union Gas Company not granted herein is denied.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Volunteer Services between the **CITY OF EL PASO**, on behalf of the **METROPOLITAN PLANNING ORGANIZATION**, and **YSLETA INDEPENDENT SCHOOL DISTRICT**, to provide videotaping services for broadcast on television the meetings of the Transportation Policy Board. This Agreement is at no cost to the City.

Representative Cook questioned why the City would become involved in what transpired between the Metropolitan Planning Organization and Ysleta Independent School District.

Ms. Rita Rodriguez, City Attorney, noted that the Director of the Metropolitan Planning Organization ("MPO") is hired by the Transportation Policy Board; however, all other MPO employees were City employees. She added that because City employees would be conducting the videotaping services it would be in the best interests to enter into this Volunteer Services Agreement.

Representative Cook noted that the MPO was a separate organization of the City and moved to delete the Resolution.

Representative Sumrall suggested that the concept of the videotaping be approved.

Representative Sariñana noted that the MPO Board had approved the videotaping and added that students from the Ysleta Independent School District would be monitoring the videotaping equipment.

Mayor Raymond C. Caballero questioned why it was advisable for the City to become involved in the transaction itself.

Representative Cook questioned why the Cities of Horizon, Sunland Park or Socorro were not invited to sign the Agreement for Volunteer Services as well.

Mr. Charlie McNabb, Chief Administrative Officer, clarified that the MPO was the City of El Paso and explained how the MPO and Transportation Policy Board came into being.

Representative Sumrall questioned whether the City would be held liable for any possible accidents .

Ms. Rodriguez clarified that the Agreement addressed all liability issues.

Motion made by Representative Sariñana, seconded by Representative Escobar and carried to approve the above Resolution.

Representatives Rodriguez and Cook voted Nay.

Representative Cobos was not present for the vote.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an International Cooperation Agreement between the City of El Paso, acting by and through its Mass Transit Department, and the City of Juarez, Chihuahua, Mexico, as may be modified and approved by the City Attorney's Office including any related documentation, to provide international transportation service.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

A RESOLUTION AUTHORIZING THE PURCHASING DEPARTMENT TO ADVERTISE TO THE PUBLIC FOR SALE LOTS 6 & 7, BLOCK 36, HIGHLAND PARK ADDITION OF THE CITY OF EL PASO, ADDRESSED AS 2421 PITTSBURG AVENUE AND AUTHORIZING THE LEGAL DEPARTMENT TO OBTAIN AN INDEPENDENT APPRAISAL AS REQUIRED BY STATE LAW TO ESTABLISH THE VALUE.

WHEREAS, Craig Hoover requested the City sell property located at 2421 Pittsburg Avenue, El Paso, El Paso County, Texas; and,

WHEREAS, the City's Development Coordinating Committee by vote decided to recommend to the City Council approval of the sale of this City-owned land; and,

WHEREAS, State statutes require that before land owned by a municipality is sold, notice to the general public of the offer of the land for sale must be published, and sealed bids to purchase the land may be submitted to the municipality; and,

WHEREAS, the City Council finds that it is in the interest of the citizens and serves a public purpose to sell the property; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The City's Purchasing Department is hereby authorized, upon recommendation of the City's Development Coordinating Committee, to advertise to the public for sale Lots 6 & 7, Block 36, Highland Park Addition of the City of El Paso, addressed as 2421 Pittsburg Avenue. The Legal Department is authorized to obtain an independent appraisal to establish value.

Representative Rodriguez questioned what happened to the buyer for the Pittsburgh property and what other City property(ies) were authorized to be sold.

Ms. Rita Rodriguez, City Attorney, clarified that an individual had requested purchasing the Pittsburgh property; however, same individual's property did not abut the Pittsburgh property. Therefore, it was determined that the property would be sent to bid along with all other City properties. She explained that all liens would be included in the bid purchase price. She stated that a Property Management position was created in the Legal Department in an effort to better manage City properties and recommended that the City bid its parcels/property twice during the year.

Representative Rodriguez questioned whether the City had properly analyzed all its current parcels/properties.

Mayor Raymond C. Caballero responded that the analysis process was currently ongoing.

Representative Sumrall commented that the Airport currently had on staff a Property Management position.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Representative Cobos was not present for the vote.

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*Motion made, seconded and unanimously carried to appoint Pat Rios-Valdez to the Greater El Paso Civic Convention and Tourism Advisory Board by Representative Medina.

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*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

112 S. Tangier Place at alley for \$464.00.

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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign, on behalf of the City of El Paso, a Local Project Advance Funding Agreement between the City and the State of Texas, acting by and through the Texas Department of Transportation ("TXDOT"), for installation of international bridge counters and traffic management system phase III, ITS extension phase II; and that the Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

Mayor Raymond C. Caballero asked that the following Resolution be taken with the current Resolution.

There being no public comment, the vote was taken.

Motion made by Representative Escobar, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.
Representative Cobos was not present for the vote.

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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign, on behalf of the City of El Paso, a Local Project Advance Funding Agreement between the City and the State of Texas, acting by and through the Texas Department of Transportation ("TXDOT"), for the installation of safety lighting at various intersections on city streets and traffic light synchronization; and that the Mayor is hereby authorized to execute any necessary budget transfers to accomplish the intent of this Resolution.

There being no public comment, the vote was taken.

Motion made by Representative Escobar, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.
Representative Cobos was not present for the vote.

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SECOND ADDITION TO THE AGENDA

No action was taken regarding the discussion and action on conducting a Committee of the Whole meeting to discuss amendments to the City Charter by Representative Power.

Motion made by Representative Sariñana, seconded by Representative Power and unanimously carried to approve conducting a Committee of the Whole meeting to discuss amendments to the City Charter.

Representative Power asked that a date for the Committee of the Whole meeting be set.

Representative Rodriguez suggested utilizing the date as when Mayor's Budget was released.

Representative Power clarified that the Committee of the Whole meeting was in reference to the Chamber Amendments.

Mr. Charlie McNabb, Chief Administrative Officer, suggested a date sometime prior to the beginning of December.

Mayor Raymond C. Caballero suggested the third week of October.

Representative Cook noted that his staff was working in conjunction with Representative Medina's staff in deciding what date would be appropriate for all Council Members.

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Motion made by Representative Sariñana, seconded by Representative Power and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Jessie Oberson v. The City of El Paso, Cause No. 2001-120 (551.071)
- B. Pellicano Apartments, 02-PC-024 (551.071)
- C. Public hearing to determine if the property located at 2506 San Jose Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, John Taylor and Linnea Hanson, 4837 Winthrop Drive, El Paso, Texas 79924, have been notified of the violations at this property. (551.071)

Motion made by Representative Rodriguez, seconded by Representative Sariñana and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

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No action was taken regarding Jessie Oberson v. The City of El Paso, Cause No. 2001-120 (551.071)

.....
No action was taken regarding Pellicano Apartments, 02-PC-024 (551.071)

.....
Motion made by Representative Rodriguez, seconded by Representative Sariñana and unanimously carried to accept the Department's recommendation regarding the Public hearing to determine if the property located at 2506 San Jose Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, John Taylor and Linnea Hanson, 4837 Winthrop Drive, El Paso, Texas 79924, have been notified of the violations at this property. (551.071)


Representatives Rodriguez, Medina, Cook, and Sariñana voted Aye.

Representatives Sumrall, Power, Escobar and Cobos were not present for the vote.

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Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to adjourn this meeting at 12:40 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:


Richarda Duffy Momsen, City Clerk


Lisa A. Elizondo, City Attorney